

## REMARKS

The office action of June 4, 2003, has been reviewed and its contents carefully noted. Reconsideration of this case, as amended, is requested. Claims 1, 3 and 5 through 14 remain in this case.

The Declaration of Prior Invention under 37 CFR 1.131, filed with this statement, was previously faxed to the Examiner on September 4, 2003. The Examiner refused to enter the Declaration on the grounds that it "would cause for further search and/or consideration by the Examiner." Therefore, a Request for Continued Examination (RCE) is being filed in this case.

### Preliminary Statement

The novel method of Applicants' invention is a method for providing product comparisons in a natural language form by performing certain steps: developing feature text snippets for each feature, the snippets being phrases to be used when describing or referring to particular product features; developing user profile text snippets for each user profile, the snippets being phrases to be used when describing or referring to particular user profiles; and providing generic phrases such that combining the generic phrases with feature text snippets and user profile text snippets produces a comparison guide for the products featuring dynamically generated fluent text that is used to convey product analyses and recommendations tailored to the user requirements and preferences. (claim 1)

That is, the invention provides and claims a method for combining generic phrases with feature text snippets for individual features and user profile text snippets for user profiles to generate a display comprising a comparison guide for the products featuring dynamically generated fluent text that is used to convey product analyses and recommendations tailored to the user requirements and preferences.

Feature text snippets are defined and explained in the specification as filed on page 8, line 15, through page 9, line 14. User profile text snippets are defined and explained on page 10, line 12, through page 11, line 3. How the text snippets are combined with generic text is explained from page 11, line 13, through page 13, line 22. Examples of how feature text snippets and user

text snippets and generic text phrases are combined into fluent natural language text paragraphs are provided on pages 11, line 21 through 12, line 5.

As defined in the claims and explained in the specification, the novelty of the present invention is that it is a method which provides *natural language fluent text in the form of paragraphs of written words* generated by the *combination of the generic phrases and snippets*, rather than the tabular spreadsheet-like display of features and prices, etc., common to the prior art. The discussion of the prior art in page 2 of the specification, lines 11-18, makes this distinction.

It is clear from the specification that the inventors have used the phrases "natural language" and "fluent text" to mean this kind of human-like flowing verbiage with appropriate grammatical and rhetorical structure in a convincing fashion (see, for example, the instructions on page 12 of the specification as filed, or the first and last paragraphs of the summary of the invention).

In the claims, the novel method of the invention is claimed as developing feature text snippets and user profile text snippets (claim 1(a) and (b), claim 8(a)(i) and (ii)) (defined in the claims as "phrases to be used when describing or referring to particular (features or user profiles)") and providing generic phrases (claim 1(c) first line, claim 8(a)(iii)). The feature text snippets and user profile snippets are combined with the generic phrases to produce a comparison guide featuring dynamically generated fluent text (claim 1(c), claim 3(d)). (Claim 8 adds additional steps of communicating with the user and ranking products, but these are common to any product recommendation system)

### **Rejection(s) under 35 U.S.C. §103**

All of the claims were rejected under 35 U.S.C. 103(a) as being unpatentable over Shaya, et. al in view of Guheen, et. al.

It must be emphasized that the claims in the present case claim a specific method of providing a natural language product recommendation system comprising a specified series of steps. The applicants do not claim to have invented product recommendation systems, in general. While the cited references might show product recommendation systems, as such, *in order to be*

*a proper reference against the Applicants' method a reference needs to show or teach the steps claimed in the method. Neither Shaya nor Guheen, nor the combination of the references, teaches or suggests this novel method.*

The Shaya application details a performance-based product recommendation system which uses a neural network to determine its recommendations. In contrast to the Applicants' invention, in the Shaya method there are no generic phrases, no feature text snippets, no user text snippets, and no combination of these into dynamically generated fluent text used to convey product analyses and recommendations tailored to the user requirements and preferences. Instead, Shaya presents its recommendations in tabular form - see figures 8a-b and 9a-b for examples of Shaya's output. In paragraph 112, Shaya says, "Another form of ancillary information output comprises explanations of why certain products were recommended. For example, performance prediction metrics may be explained by querying the invention with a radio button or other appropriate interface and the invention could respond by providing a table of concern areas ordered by the consumer's importance and/or performance scores for the particular product being considered for each area of concern." In other words, Shaya's system performs a ranking to produce output which is tabular, it does not perform the steps of Applicant's method of combining snippets to produce natural language or fluent text as the phrase is used by the inventors herein.

Guheen presents a description of a product comparison system in its discussion of figure 66 (column 174), among many other applications of a method for conveying redundancies and omissions among components of a network framework. The description is very general, and mentions that "features may be listed" and "data, i.e. specifications, details, etc., relating to the products and services are displayed along with a comparison between different products and services." (col. 174, lines 26-29) The flowchart of figure 66 is no more detailed, and just indicates that data relating to user requirements are received, and recommendations are output based on the data. It is not explained what method is used to generate the display, other than that data and comparisons are provided - nothing would teach or suggest the combination of snippets and generic text into natural language fluent text.

Thus, Applicants believe their method to be patentable over the references cited.

## **The Shaya Reference is Overcome by the Declaration of Prior Invention**

Applicants do not believe that the Shaya reference is relevant, for the reasons given in the response filed March 13, 2003, the telephone interview with the Examiner on July 16, 2003, and the Request for Reconsideration filed the same day, and repeated in this statement.

However, in order to place this application in condition for allowance, with this response Applicants are supplying a Declaration of Prior Invention under 37 CFR 1.131. Shaya, et. al, is a US patent application published on October 31, 2002, and filed on October 17, 2001, claiming benefit of a provisional application filed October 18, 2000. As such, the effective date of the reference is, at the earliest, the provisional filing date of October 18, 2000. The attached Declaration, which was also faxed to the Examiner on September 4, 2003, shows that the invention in this application was reduced to practice at least as early as August, 2000, which is several months prior to the effective date of the Shaya, et al, reference. With the rejection over Shaya now moot and removed from consideration, Applicants believes the claims, as amended, are patentable over Guheen standing alone, for the reasons given in the responses and request for reconsideration previously filed and restated above.

Guheen presents a description of a product comparison system in its discussion of figure 66 (column 174), among many other applications of a method for conveying redundancies and omissions among components of a network framework. The description is very general, and mentions that "features may be listed" and "data, i.e. specifications, details, etc., relating to the products and services are displayed along with a comparison between different products and services." (col. 174, lines 26-29) The flowchart of figure 66 is no more detailed, and just indicates that data relating to user requirements are received, and recommendations are output based on the data. It is not explained what method is used to generate the display, other than that data and comparisons are provided - nothing would teach or suggest the combination of snippets and generic text into natural language fluent text.

Reconsideration and withdrawal of the rejection, and allowance of the claims, are respectfully requested.

### Conclusion

Applicants believe the claims, as amended, are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicants' attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

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